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Attorney for Defendant
DAVID GLENN CALLAWAY

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	
)	No. 1:05-cr-0004 OWW
<i>Plaintiff,</i>)	
)	STIPULATION TO CONTINUE MOTIONS
v.)	HEARING AND ORDER THEREON
)	
DAVID GLENN CALLAWAY,)	NOTE TO COUNSEL: CONTINUED DATE
)	HAS BEEN CHANGED
<i>Defendant.</i>)	
)	Date: July 25, 2005
)	Time: 1:30 p.m.
)	Judge: Hon. Oliver W. Wanger

It is hereby stipulated by and between the parties hereto that the motions hearing in the above-entitled matter now set for June 20, 2005, may be continued to **July 25, 2005, at 1:30 p.m.**

The reason for this continuance is to allow counsel for defendant time for further preparation.

The parties agree that any delay resulting from this continuance shall be excluded in the interest of justice pursuant to 18 U.S.C. §§ 3161(h)(1)(F), 3161(h)(8)(A) and § 3161(h)(8)(B)(i).

The parties agree that time shall be excluded pursuant to 18 U.S.C. §§ 3161, subd. (8)(A) and (B) in that the ends of justice served by the continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant such a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

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McGREGOR W. SCOTT
United States Attorney

4 DATED: June 16, 2005
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By: /s/ Jonathan B. Conklin
JONATHAN B. CONKLIN
Assistant U.S. Attorney
Attorney for Plaintiff

10 QUIN DENVIR
Federal Defender
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12 DATED: June 16, 2005
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By: /s/ Marc C. Ament
MARC C. AMENT
Assistant Federal Defender
Attorney for Defendant
DAVID GLENN CALLAWAY

19 **ORDER**
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21 IT IS SO ORDERED. Time is excluded pursuant to 18 U.S.C. § 3161, subd. (8)(A) and (B). For
22 the reasons stated above, the court finds that the ends of justice served by the delay outweigh the best
23 interest of the public and the defendants in a speedy trial.

24 AS COURT WILL NOT BE IN SESSION ON JULY 25, 2005, THE MATTER IS CONTINUED TO
AUGUST 2, 2005 AT 9:00 A.M.

25 DATED: June 16, 2005
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/s/ OLIVER W. WANGER

OLIVER W. WANGER
United States District Court Judge